

FISH & WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: October 8, 2015

Agenda Item: Termination of the Blackfoot River Closure Rule (near I-90 Bridge)

Division: Fisheries

Action Needed: Final

Time Needed on Agenda for this Presentation: 5 minutes

Background

This Blackfoot Closure Rule was adopted May 22, 2014. The rule is in effect from May 1 through June 30 each year. The original purpose of the rule was to address on-going public safety concerns on the lower Blackfoot River caused by changing river bed elevations and the exposure of timber and other mill-related debris associated with the removal of Milltown Dam. FWP feels that public awareness and a reduction in physical hazards achieved to date are sufficient that this closure is no longer needed. This rule was set to expire two years from its day of adoption, which would be May 22, 2016. Allowing the rule to expire without further action would therefore mean implementing a twenty-two day closure in 2016 that is no longer needed.

Public Involvement Process & Results

With Commission approval in August to propose rescinding the rule, public comment was solicited between Aug. 28 and Sept. 11. No comments were received. Adopting this rule was not contentious when implemented. Rescinding the rule does not appear to be contentious now.

Alternatives and Analysis

1. Leave the rule as is and there will be a twenty-two day closure in 2016. The rule will expire without further action on May 22, 2016.
2. Approve to terminate the Blackfoot Closure Rule, avoiding the unnecessary closure.

Agency Recommendation & Rationale

FWP feels the rule's goals are accomplished. Awareness is high, the river has settled since the dam's removal and hazards have decreased significantly. FWP recommends that the rule be terminated.

Proposed Motion

I move to terminate the Blackfoot Closure Rule as recommended by FWP.